

AUG 17 2007

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Total Number of Pages in This Submission

3

Application Number	09/920,961
Filing Date	08/03/2001
First Named Inventor	Edwin Lyda
Art Unit	2623
Examiner Name	Sheleheda, James R.

Attorney Docket Number

LYDA-01

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Interview Summary
<input type="checkbox"/> Remarks ATTENTION: Please forward a copy to: ANDREW FAILE, DIRECTOR, ART UNIT 2623		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Annelin and Gaskin		
Signature	<i>Mary J. Gaskin</i>		
Printed name	Mary J. Gaskin		
Date	Aug. 17, 2007	Reg. No.	30,381

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Mary J. Gaskin</i>
Typed or printed name	Mary J. Gaskin
Date	Aug. 17, 2007

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In re Application of: Edwin Lyda } Date: August 17, 2007
Application No.: 09/920,961 } Group Art Unit: 2623
Filed: 08/03/2001 } Examiner: Sheleheda, James R.
For: Distance Learning System }

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY**All Participants:**

1. Chris Kelley
2. Mary Gaskin

Date of Interview: July 20, 2007

Type: Telephonic

Exhibit shown or demonstration conducted: Not applicable

Claim(s) discussed: Not applicable

Identification of prior art discussed: Not applicable

Agreement with respect to the claims was was not reached.

CERTIFICATE OF TRANSMISSION (37 CFR 1.8a)

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Mary J. Gaskin
Mary J. Gaskin

Substance of Interview:

Prior to the telephone interview, I had left a message with Examiner Sheleheda requesting him to call me. Instead I received a call from Examiner Kelley. I inquired about the fact that I had not yet received the Examiner's Brief in response to Applicant's Appeal Brief, which had been filed in December 2006, and which was amended (for two minor issues) and re-filed on April 2, 2007. The information online showed that the brief had been forwarded to the Examiner in early May. At the very latest, the Examiner's Brief should have been sent to me by early July 2007. Examiner Kelley indicated I would receive the Examiner's Brief "by the end of the next week" (July 27). (In fact, the Examiner's Brief was not mailed until August 3, 2007). I expressed dissatisfaction that the Examiner's Brief would be late (once again), particularly in view of the fact that, on April 6, 2007, I had filed a Petition For Replacing Examiner; Expediting Appeal, directed to Andrew Faile's attention, to which I had received no reply. At that point, Examiner Kelley raised the fact that the Examiner had been changed; however, I indicated that I was aware of the fact that the previous examiner, Hal Tran, had been promoted to an SPE position outside the Art Unit, and that fact had necessitated the change, not my petition.

In his interview summary, the Examiner indicated that my petition had been dismissed (this is my first notice of that fact) as "moot since the examiner has been changed." However, he never addressed the fact that the petition had also requested that the appeal be expedited to as great an extent as possible in view of the lengthy delays associated with the case. Clearly, the appeal has NOT been expedited at all; as usual the Examiner's Brief was overdue when I finally received it.

Date: August 17, 2007

Respectfully submitted,

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